

Applicant : Scott Montgomery
Appl. No. : 09/990,605
Examiner : Mamon Obeid
Docket No. : 703602.6

Remarks

The applicants respectfully request reconsideration in view of the following comments.

Interview on April 21, 2008

The applicants wish to thank the examiner for taking part in the interview on April 21, 2008. In the interview, the applicants expressed their concern that, in the office action dated December 20, 2007, the previous examiner (1) failed to address the applicant's arguments traversing the Moore reference presented in the response dated September 27, 2007 and (2) failed to provide a clear mapping as to how the examiner was construing the claims to read on the Moore reference, particularly, a mapping as to which element in Moore allegedly corresponds to each of the claim elements.

It was agreed that the applicants would resubmit their arguments traversing Moore from the September 27, 2007 response and, if the examiner decides to maintain the rejection in light of Moore, then the examiner will issue a new, non-final office action (1) clearly addressing the applicant's arguments traversing the rejection over Moore and (2) clearly mapping which element in Moore the examiner alleges as corresponding to each individual element of the claims.

Rejections under 35 USC §112

Claims 157 and 161 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The office action states that the examiner was unable to find supporting language in the specification for certain portions of claims 157 and 160.

The office action states that "vendor controlled centralized postage-issuing authority" is without support in the specification. The applicants respectfully submit that the claims do not recite a "vendor controlled centralized postage-issuing authority" and thus the rejection is moot. The claims instead recite a "vendor controlled centralized postage-issuing computer system."

The office action states that "... identification string is readable independent of the

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indicium . . .” is without support in the specification. The applicants respectfully submit that support for this claim language can be found at, e.g., Figures 2 and 4 and paragraphs 88 and 97, showing and discussing the independently readable indicium 206 and tracking ID 220.

The office action states that “. . . transmit both the unique tracking identification string and the unique postage indicium . . .” is without support in the specification. The applicants respectfully submit that support for this claim language can be found at, e.g., Figure 9 and paragraph 119 (discussing transmittal of tracking ID from centralized postage-issuing computer system to end user computer) and paragraph 93 (discussing transmittal of postage indicium from centralized postage-issuing computer system to end user computer).

The office action states that “. . . unique postage indicium is associated with a digital signature . . .” is without support in the specification. The applicants respectfully submit that support for this claim language can be found at, e.g., Figure 13 and paragraph 131.

Rejections under 35 USC §102

Claims 157-161 were rejected under 35 U.S.C. § 102(e) as being anticipated by Moore (U.S. 5,917,925). Applicants respectfully traverse.

Claims 157 and 160 are patentable over Moore because Moore does not disclose, teach or suggest a "centralized postage-issuing computer system . . . configured to communicate with a centralized master tracking computer system" and "configured to . . . transmit both the unique tracking identification string and the unique postage indicium to the end user computer" (emphasis added).

In Moore, serial numbers are generated and applied to mail pieces by the local host computer 14 (the "end user computer" according to the construction set forth in the office action dated March 27, 2007) and an indicia printing system 16 (including CPU 27 and marker 20) located downstream to that host computer 14 (see, e.g., FIG. 1b and col. 11, ll. 20-62). In other words, the indicia printing system 16 is *only in contact with a single host computer 14*. Therefore, neither the host computer 14, the indicia printing system 16 nor a combination of the two can be considered a "centralized master tracking computer system."

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Furthermore, Moore fails to disclose transmittal of the unique tracking identification string to the end user computer. In Moore, the control computer 12 (construed as the “vendor controlled centralized postage-issuing computer system”) does not transmit the serial number (construed as the “tracking identification string”) to the host computer 14 (construed as the “end user computer”). In fact, the serial number generation occurs at the host computer 14 and the indicia printing system 16 (col. 11, ll. 56-62), so, even if the control computer 12 possessed the serial numbers (which it does not), the control computer 12 would have no reason to transmit the serial number to the host computer 14. Thus, under the construction set forth in the office action, the control computer 12 cannot be "a centralized postage-issuing computer system . . . configured to . . . transmit both the unique tracking identification string and the unique postage indicium to the end user computer."

Thus, the applicants respectfully submit that claims 157 and 160 are allowable over the cited references and respectfully request that the rejection under section 102 be withdrawn.

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Conclusion

The applicants respectfully submit that independent claims 157 and 160, and the claims dependent therefrom, are allowable over the cited references. Prompt and favorable action on the merits of the claims is earnestly solicited. Should the Examiner have any questions or comments, the undersigned can be reached at (949) 567-6700.

The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 15-0665.

Respectfully submitted,

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By: 

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